

Remarks/Arguments

Reconsideration of this application is requested. Claims 1 -18 are pending in the application.

Rejection of claims 1-18 under 35 USC 103(a) as being Unpatentable over Hoopengardner (US 4,990,399) in view of Kohlhammer et al. (US 6,559,259)

It has been argued that Hoopengardner teaches a carpet cushion comprising a compressible foam layer coated with a layer of pressure sensitive adhesive, but does not teach a specific adhesive composition. Kohlhammer et al. was cited as teaching an adhesive which can be used for textiles, nonwovens and production of compression molding compounds. Although Kohlhammer et al. do not specifically teach an adhesive composition in which the polymer contains crystalline ethylene segments, the Examiner argued that the adhesive of Kohlhammer et al. would be expected to have the same properties as recited in claims 1-18, and that it would have been obvious to coat the carpet taught by Hoopengardner with the adhesive taught by Kohlhammer et al.

Response to Rejection under 35 USC 103(a)

Enclosed is a declaration under 37 CFR 1.132 providing melting point and tensile storage modulus data for a polymer produced by the method described in Example 6 of US 6,559,259. The data show that the polymer of Example 6 has no detectable crystalline ethylene segments. The absence of crystalline ethylene segments is proven by the absence of melting point and heat of fusion. The declaration proves that the adhesive composition disclosed by Kohlhammer et al. does not have the properties as recited in claims 1-18 of this invention. Therefore, combining Kohlhammer et al. with Hoopengardner would not have resulted in the invention of claims 1-18. Withdrawal of the rejection is requested.

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Based on the above and remarks, reconsideration of this application and its early allowance is requested.

Respectfully submitted,

A handwritten signature in black ink, reading "Mary E. Bongiorno". The signature is written in a cursive style with a large, stylized "M" and "B".

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